

TRINITY COUNTY
BOARD OF SUPERVISORS
MINUTES

SEPTEMBER 21, 2004

Trinity County Library Meeting Room
Weaverville, CA

The Board of Supervisors, in and for the County of Trinity, State of California, meets in Regular Session at 8:30 am and there are:

PRESENT SUPERVISORS:

Supervisor District 5 – Vacant

Supervisor Howard Freeman – District 4, Chairman

Supervisor Ralph Modine – District 3 – Vice-Chairman

Supervisor Billie Miller – District 2

Supervisor William Chambers - District 1

ABSENT SUPERVISORS: None

County Auditor/Controller, Brian Muir – Present

County Counsel, Jeanette Palla – Present

County Clerk, Dero Forslund – Present

Deputy Clerk of the Board, Kelly Frost – Present

Chairman Freeman - Presiding

TIME

ITEM NO.

8:30 AM

CALL MEETING TO ORDER IN OPEN SESSION

All contracts submitted to the Board are subject to routing for approval as to form and content.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Comments received from Charlie and Dixie Capelli.

1. CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Miller, seconded by Supervisor Modine and carried, approves Consent Agenda as presented, with the exception of 1d., 1e., 1f., 1g., 1h., 1k., 1l., 1m., and 1p., with the following vote polled: Supervisors Miller, Modine, Chambers and Freeman – Aye.

BOARD CONSENT MATTERS

- 1a. Approves minutes of September 7, 2004, as submitted by Clerk. **Binder Book**
- 1b. Approves Final Budget Hearing Minutes of September 8-9, 2004, as submitted by Clerk. **Binder Book**
- 1c. Approves and authorizes Chairman to sign Resolution No. 2004-082, supporting the Hayfork Elementary School Annual Halloween Parade. **DT 04 sch**
- 1i. Finds that the proposed license will meet public convenience and necessity, and finds no objection to the issuance of an Alcoholic Beverage License to Mad River Store and Bar, located in Mad River. **S 04 sdo abc**
- 1j. Finds no objection to the issuance of a daily alcoholic beverage license to the Soroptimists of Trinity County to serve beer and wine at their Bunco Tournament to be held at the Veteran's Memorial Hall on Friday, October 8, 2004, from 6:30 pm to 11:30 pm. **S 04 sdo abc**

AUDITOR C 04 6

- 1n. Approves tax rates for fiscal year 2004/2005.

GRANTS AND HOUSING REHABILITATION C 04 19

- 1o. Approves and authorizes Chairman to sign Amendment No. 4 with Jerry Rodhe, DBA MountainHome Books (Contract No.

2004- to market and distribute third printing of Traveling the Trinity Highway. Anticipated Revenue in the amount of \$10,500. No net County cost.

HEALTH AND HUMAN SERVICES C 04 20

- 1q. Approves and authorizes Chairman to sign agreement with Human Response Network (Contract No. 2004-412), funding from the California Department of Social Services, Office of Child Abuse Prevention, through the Small County Initiative II grant, in the maximum amount of \$86,480, to provide coordination services for the Youth Employee program and the Youth Council Community-Based Mini-grant program.

PLANNING/NATURAL RESOURCES C 04 24

- 1r. Waives reading and directs the Clerk to let the record show that Ordinance No. 315-735, amending Trinity County Zoning Ordinance Amendment No. 315-660, to correct the legal description for APN: 024-200-15 located in the Musser Hill area of Weaverville, is enacted. (Sierra Pacific Industries, P-96-15).
- 1s. Waives reading and directs the Clerk to let the record show that Ordinance No. 315-734,, amending Trinity County zoning Ordinance #315, rezoning APN 007-740-35 from Unclassified to Rural Residential 2 1/2 – acre minimum, located on a private road, just north and off of Carrville Loop Road, is enacted. (Applicant: D. McLafferty, P-04-24).
- 1t. Approves and authorizes Chairman to sign Amendment No. 1 to Contract No. P0210426 with the California Department of Fish and Game (Contract No. 2204-411), for removal of a migration barrier on Deadwood Road, Lewiston area. Funding from California Department of Fish and Game as part of the Five Counties Salmonid Conservation Program, in the amount of \$65,970. C 04 24 nr

TREASURER/TAX COLLECTOR C 04 27

- 1u. Approves and authorizes Chairman to sign Resolution No. 2004-086, to approve acceptance, by the Tax Collector, of partial payments for secured defaulted taxes and delinquent prior year unsecured taxes.

THE FOLLOWING ITEMS HAVE BEEN PULLED FROM

THE CONSENT AGENDA AND CONSIDERED SEPARATELY

BOARD CONSENT

- 1d. On motion of Supervisor Miller, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2004-083, Supporting the Hayfork High School Homecoming Parade. Approves with the following vote polled: Supervisors Chambers, Miller, Modine and Freeman – Aye. **DT 04 sch**
- 1e. On motion of Supervisor Modine...Motion dies for lack of second, on approval of application for waiver of county fees for an encroachment permit, in the amount of \$100, for the Hayfork High School Homecoming Parade.
- On motion of Supervisor Miller, seconded by Supervisor Chambers, to deny application for waiver of county fees for an encroachment permit, in the amount of \$100, for the Hayfork High School Homecoming Parade. Motion fails: Supervisors Miller and Chambers – Aye; Supervisors Modine and Freeman – No. No further action taken by the Board. **C 04 27**
- 1f. On motion of Supervisor Miller, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2004-084, Supporting the Trinity High School Homecoming Parade. Approves with the following vote polled: Supervisor Chambers, Miller, Modine and Freeman – Aye. **DT 04 sch**
- 1g. On motion of Supervisor Miller, seconded by Supervisor Chambers, to deny application for waiver of county fees for an encroachment permit, in the amount of \$100, for the Trinity High School Homecoming Parade. Motion fails: Supervisors Miller and Chambers – Aye; Supervisors Modine and Freeman – No. No further action taken by the Board. **C 04 27**
- 1h. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, denies application for waiver of county fees for an encroachment permit, in the amount of \$100, for the installation of a 40 foot span pedestrian bridge on County owned right of way on Garden Gulch Road adjacent to the Trinity County Court House, as requested by the Trinity Resource Conservation and Development Council.

Comments received from Carl Bonomini, Transportation Department Director. C 04 27

1k. On motion of Supervisor Miller, seconded by Supervisor Modine, approves and authorizes Chairman to sign the following Grand Jury responses:

- Health and Human Services Committee Final Report – In-Home Support: Supervisor Modine.
- Finance and Administration Committee Final Report – Review of Citizen Complaint Regarding Brian Muir, Auditor: Supervisor Freeman.

Supervisor Chambers – Abstains. C 04 8 gj rpts

AGRICULTURE/SEALER OF WEIGHTS AND MEASURES C 04 3

1l. **Pulled and tabled to October 5, 2004:**

2004/2005 Wyden Agreement #04-WY-11051456-014 between the Shasta-Trinity National Forest Service, United States Department of Agriculture and Trinity County Agricultural Department, revenue in the amount of \$32,076, to implement the plan developed by the Trinity County Weed Management Cooperative Group.

AUDITOR C 04 6

1m. On motion of Supervisor Miller, seconded by Supervisor Modine, approves and authorizes Chairman to sign Resolution No. 2004-085, to Grant Designated Period for Two Years Additional Service Credit for certain safety classifications (Golden Handshake); and

Approves and authorizes Chairman to sign Certification of Compliance with Government Code Section 20903. Approves with the following vote polled: Modine, Miller, Chambers and Freeman – Aye.

HEALTH AND HUMAN SERVICES C 04 20

1p. **Pulled and tabled to October 5, 2004:**

The Children's Protective Services System Improvement Plan (SIP) for Child Welfare Services (CWS) in Trinity County. No Fiscal Impact.

2. COUNTY MATTERS

- 2a. Discussion only on recommendations of committee report on Hospital Alternatives. Comments received from Linda Wright, Health and Human Services Director. **C 04 21**
- 2b. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Proclamation No. 2004-03 (p) Designating October 2004 as Breast Cancer Awareness Month and October 21, 2004 as Think Pink Day in Trinity County. **C 04 21**
- 2c. On motion of Supervisor Miller, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2004-087, approving the submittal of a HOME Investment Partnerships grant in the amount of \$600,000 for an Owner-Occupied Housing Rehabilitation Program throughout Trinity County and authorize the County Auditor/Controller to sign the HOME application and other required application documents. Approves with the following vote polled: Supervisors Miller, Chambers, Modine and Freeman – Aye. Comments received from Pat Mortensen, Grants Coordinator. **C 04 19**
- 2d. Reviews Trinity Transit's 2003/04 fiscal year transit operation expenditures and fare box revenue; and first 2 months of Trinity Transit operations for 2004/05 fiscal year. Comments received from John Jelichich, Planning Director. **C 04 24**

3. COUNTY AUDITOR/CONTROLLER

- 3a. Brian Muir, County Auditor/Controller reports on agenda meeting.
- 3b. No report on other matters of interest to the Board.
- 3c. On motion of Supervisor Miller, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2004-088, Adopting the Final Budget for fiscal year 2004/2005, in the amount of \$44,625,344. Approves with the following vote polled: Supervisors Chambers, Miller, Modine and Freeman – Aye. **C 04 6 f bdt**

3d. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, authorizes hiring Diane Rieke as Interim Director of Nursing at Range N244 Step E at Trinity Hospital, effective September 21, 2004. Approximate cost in salary and benefits per month would be \$8,787. Comments received from Larry McDonough, Hospital Administrator.

C 04 2 prs

3e. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, pursuant to Trinity County Code Section 2.60.410 authorizes hiring Jennifer Van Matre as a Business Services Representative I at Range G122 Step C at Trinity Hospital, effective September 21, 2004. Approximate cost at A Step would be \$20,661 and C Step \$21,971 a difference of \$488.04 for FY 04/05. Comments received from Larry McDonough, Hospital Administrator. C 04 2 prs

3f. On motion of Supervisor Chambers, seconded by Supervisor Miller and carried, authorizes hiring an extra help Custodian/Hospital Services Worker at Trinity Hospital at Range G147 Step A, effective September 21, 2004. Approximate cost for six months would be \$11,818. Comments received from Larry McDonough, Hospital Administrator. C 04 2 prs

3g. On motion of Supervisor Chambers, seconded by Supervisor Modine and carried, authorizes the recruitment and hiring of a Mental Health Clinician II at Range G210/G213 at Behavioral Health, effective October 1, 2004. Approximate cost in salary and benefits for this fiscal year would be \$43,157. C 04 2 prs

3h. On motion of Supervisor Chambers, seconded by Supervisor Modine and carried, authorizes the recruitment and hiring of an extra help Transportation Aide at Range G142/G145 at Behavioral Health, effective October 1, 2004. Approximate cost in salary would be \$6,000 for FY 04/05. C 04 2 prs

4. REPORTS FROM DEPARTMENT HEADS, MEMBERS OF THE BOARD AND COUNTY COUNSEL

4a. Report from Department Heads.

- Agriculture Commissioner/Sealer:

Mark Lockhart – Report received. Comments received from Alsah Bundi, Human Response Network Program Director.

- Building and Development Services Director:
Steve Judson – No report received due to illness.

4b. Report from Members of the Board: Supervisors Chambers, Miller and Freeman.

4c. Report from Jeanette Palla, County Counsel.

5. PRESENTATION/DISCUSSION ITEMS

5a. On motion of Supervisor Modine, seconded by Supervisor Miller, approves and authorizes Chairman to sign Resolution of Appreciation No. 2004-089, to Steve Judson for his years of service to Trinity County. Approves with the following vote polled: Supervisors Miller, Modine, Chambers and Freeman – Aye.

Steve Judson was unable to appear due to illness. **C 04 9**

5b. Human Response Network

On motion of Supervisor Miller, seconded by Supervisor Chambers, approves and authorizes Chairman to sign a Resolution No. 2004-090, declaring the month of October as Domestic Violence Awareness Month. Approves with the following vote polled: Supervisors Chambers, Miller, Modine and Freeman - Aye; and

Alsah Bundi, Human Response Network Program Director, appears and gives a short presentation regarding National Domestic Violence Awareness Month and related activities.

CT 04 hrn

RECESSES AS THE BOARD OF SUPERVISORS; RECONVENES AS THE TRANSPORTATION COMMISSION

6. TRANSPORTATION COMMISSION **C 04 24 trn com**

6a. On motion of Supervisor Chambers, seconded by Supervisor Miller, approves and authorizes Chairman to sign Resolution No. 2004-091, ranking Trinity County Airport Projects and authorizing the Department of Building and Development

Services of Trinity County to deliver to the State of California and Federal Government said ranking information. Approves with the following vote polled: Supervisors Miller, Chambers, Modine and Freeman – Aye. Comments received from John Jelichich, Planning Director.

**RECESSES AS THE TRANSPORTATION COMMISSION;
RECONVENES AS THE BOARD OF SUPERVISORS**

PUBLIC COMMENT

No comments received.

**10:25 AM
1:30 PM**

**RECESSES
RECONVENES**

7. PUBLIC HEARINGS

7a. **OPEN PUBLIC HEARING:** To consider a resolution approving the submittal of a CDBG 2004/2005 Planning and Technical Assistance Grant application for \$35,000 from the General Allocation for an Affordable Housing Feasibility Study, and for \$35,000 from the Economic Development Allocation for Weaverville Downtown Revitalization/Main Street Plan.

- Presentation by Patricia Mortensen, Grants Coordinator.
- Receives comments from Pat Zugg, Weaverville Chamber of Comments.

CLOSE PUBLIC HEARING

On motion of Supervisor Chambers, seconded by Supervisor Miller, approves and authorizes Chairman to sign Resolution No. 2004-081, approving the submittal of a CDBG 2004/2005 Planning and Technical Assistance Grant application for \$35,000 from the General Allocation for an Affordable Housing Feasibility Study, and for \$35,000 from the Economic Development Allocation for Weaverville Downtown Revitalization/Main Street Plan; and authorize the County Auditor/Controller to sign the CDBG application and Statement of Assurances. Approves with the following vote polled: Supervisors Miller, Chambers, Modine and Freeman – Aye.

C 04 19

PUBLIC COMMENT

No comments received.

MEET IN CLOSED SESSION: C 04 8 cs

- A.** Government Code Section 54956.9, subd. (a). Existing Litigation, Conference with Legal Counsel. Number of Cases One (Litigation has been formally initiated.)

- Michael P. Gottschalk v. James Woods
Case No. 04CV054

ADJOURN CLOSED SESSION; RECONVENE TO OPEN SESSION

8. CHAIRMAN REPORTS ON CLOSED SESSION

- A.** Direction given to County Counsel on the following case:

- Michael P. Gottschalk v. James Woods
Case No. 04CV054

2:00 PM

ADJOURN

All Ordinances introduced or enacted have been published or posted as provided in Government Code Section 25124.

TRINITY COUNTY BOARD OF SUPERVISORS

Attest:

DERO B. FORSLUND
County Clerk/Recorder/Assessor,
Ex-Officio Clerk of the Board,
County of Trinity, State of California

HOWARD R. FREEMAN, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

By: _____
Deputy Clerk